

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

JOSE ANTONIO OLMEDA MIRANDA

Case No. 18-06747-BKT

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 1/24/2019 10:30:00AM <input type="checkbox"/> R <input checked="" type="checkbox"/> NR LV: \$96.00 (PV \$112) <input type="checkbox"/> This is debtor(s) 0 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <u>First Bank by Ms. Ivelisse Romero</u> <u>Money Express by Ms. Ivelisse Romero</u> </div>
II. Oath Administered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
III. Plan Date: 12/21/2018 Base: \$54,000.00 Payments 0 made out of due. Confirmation Hearing Date: 1/25/2019 2:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) \$3,000.00 - \$500.00 = \$2,500.00	
IV. Status of Meeting <input type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input checked="" type="checkbox"/> Continued Continued Date: 2/14/2019 10:30:00AM Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☐ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
 - ☐ State - years
 - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
 - ☐ Premises
 - ☐ Vehicle(s):
 - ☐ Licenses issued by:

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Trustee's objection to confirmation

- ☐ Objection to Confirmation
☐ Oral objection by creditor

ACP: 3

Household size: 1

The meeting was continued. Debtor has to correct some financial information from his 2 business and amend documents submitted and correct schedules. This has yet to be performed. Counsel explained the reasons as to why amendments were not performed.. Meeting is continued.

Debtor's drivers license expired in September.A vehicle will be paid thru the plan and Debtor has to provide evidence of the renewal of his license.

Debtor has a business named JA Contractors, said company received income from FEMA funds thru an independent contractor. Said income is no longer received. Debtor to provide income received from such companies and provide evidence of the deposits made by the companies in debtor's bank account.

1. Schedule J does not disclose the following:

*Taxes expenses

*Debtor has a Dodge Ram 2015, only discloses \$60 as transportation expenses. Debtor will review J.

*Debtor has business named Navarro's Café, no rent expenses, utilities, and purchases made on a monthly basis.

*Debtor will review if business income and expenses sheet is for his 2 business.

FAILS LIQUIDATION VALUE TEST, §1325(a)(4): 1. Debtor is the sole owner of Navarro's Cafe, however, business equipment and inventory has not been listed.

DOMESTIC SUPPORT OBLIGATION, (Recipient(s) data §1302(b)(6)): Provide DSO recipient information.

DOMESTIC SUPPORT OBLIGATION, (Post-petition §1325(a)(8)): Provide evidence of being current with DSO post-petition payment.

DSO recipient Ana Roddriguez (1 minor aged 14) Private agreement 400.00

OTHER: 1. Debtor listed business equipment as inventory JA Contractor. 2. YTD income has not been listed in SOFA also income for for 2017. 3. SOFA does not discloses from when JA Contractor commenced operations. 4. Schedule I discloses debtor's net income for \$1,1995.92. Clarify if this income is from both business. 5. Debtor listed in Schedule A/B a 2017 Nissan Frontier, per poc #6 this is a lease, plan provides to this creditor as secured. 6. Plan does not provide for priority claim #3 by Department of Treasury.

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The following party(ies) object(s) confirmation:

s/Pedro R Medina

Date: 01/24/2019

Trustee/Presiding Officer

(Rev. 05/13)